

AO 245B (Rev. 9/00) Judgment in a Criminal Case  
Sheet 1

FILED

2008 JUL -1 AM 11:15 FILED  
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

PORFIRIO OLIVA-GONZALEZ (I)

JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

Case Number: 2008CR1032-JLS

Federal Defenders, Inc., by: DAVID PETERSON

Defendant's Attorney

REGISTRATION NO. 50170180



THE DEFENDANT:



pleaded guilty to count(s)

ONE, TWO AND THREE OF THE SUPERSEDING INFORMATION



was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
8 USC 1325	ILLEGAL ENTRY (MISDEMEANOR)	1 & 2
8 USC 1325	ILLEGAL ENTRY (FELONY)	3

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s)

Count(s) UNDERLYING 3 COUNT INFORMATIONis ☒ are ☐ dismissed on the motion of the United States.

Assessment: \$10 ON COUNT 1, \$10 ON COUNT 2 AND \$100 ON COUNT 3 FOR A TOTAL OF \$120 WAIVED



Fine waived

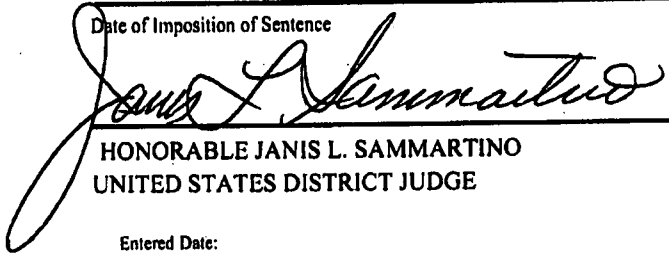


Property forfeited pursuant to order filed \_\_\_\_\_, included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

MAY 16, 2008

Date of Imposition of Sentence

HONORABLE JANIS L. SAMMARTINO  
UNITED STATES DISTRICT JUDGE

Entered Date:

2008CR1032-JLS

AO 245B (Rev. 9/00) Judgment in Criminal Case  
Sheet 2 — ImprisonmentJudgment — Page 2 of 4DEFENDANT: PORFIRIO OLIVA-GONZALEZ (I)  
CASE NUMBER: 2008CR1032-JLS**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of SIX (6) MONTHS ON COUNT ONE, SIX (6) MONTHS ON COUNT TWO AND TWENTY-FOUR (24) MONTHS ON COUNT THREE TO RUN CONSECUTIVE FOR A TOTAL OF 36 MONTHS.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_  
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before \_\_\_\_\_  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Office.

**RETURN**

I have executed this judgment as follows:

Defendant delivered on 06-26-08 to FCI Edgefield  
at Edgefield Se, with a certified copy of this judgment.

John J. Lammanna, Warden  
UNITED STATES MARSHAL

By Kellie Neal, ISO  
DEPUTY UNITED STATES MARSHAL

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AO 245B (Rev. 9/00) Judgment in a Criminal Case  
Sheet 3 — Continued 2 — Supervised Release

Judgment—Page 4 of 4

DEFENDANT: PORFIRIO OLIVA-GONZALEZ (1)  
CASE NUMBER: 2008CR1032-JLS

### SPECIAL CONDITIONS OF SUPERVISION

- ☒ Not possess any firearm, explosive device or other dangerous weapon.
- ☒ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☐ The defendant shall violate no laws, federal, state and local, minor traffic excepted.
- ☒ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion, or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within                      days.
- ☐ Complete                      hours of community service in a program approved by the probation officer within                      days.
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of                      days.
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the Bureau of Prisons for a period of                      days commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of                      days, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ Comply with the conditions of the Home Confinement Program for a period of                      months and                      days, remain at your residence except for activities or employment as approved by the court or probation officer. Wear an electronic monitoring device and follow procedures specified by the probation officer. Pay the total cost of electronic monitoring services, or a portion if deemed appropriate by the probation officer.
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis testing and counseling, as directed by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

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